1:Vaillant A-5 (1928-1936)1941 NU7 Aztec NU7

His later years were weighted with trouble with Tenochtitlan. He had married a sister of Montezuma II and, as she was unduly free in granting favors to the young men of the court, in 1498 he took advantage of his legal right to kill her. The Tenochcas took this act as a gross personal affront and directed every effort, short of war, to overcoming their ancient ally.[11]

Axayacatl of Tenochtitlan died in 1479, while Nezahualpilli was young in his rule, and his brother Tizoc, who had previously been the war chief, took his place. Tizoc's most important act of office was to begin the reconstruction of the great temple to Huitzilopochtli, the War God, and Tlaloc, the Rain God. In commemoration of his conquests he also had carved the so-called Sacrificial Stone. This monstrous-sized vessel for burning human hearts has a relief on the edge, depicting Tizoc dressed as Huitzilopochtli seizing captives representing tributary tribes. Most of the towns, unfortunately, must have been merely reconquered, since their names appear in the previous conquest lists of earlier rulers. It is not a complete surprise to read in some accounts that Tizoc died of poison administered by chiefs disgusted at his lack of military success.[12]

Ahuitzotl* succeeded his brother Tizoc in 1486. His first task was to complete the great temple the others had begun, in the dedication of which the gathering of sacrificial victims played an important part. He invoked the aid of Nezahualpilli, and the allies made a two-year campaign into northern Oaxaca, amassing no less than twenty thousand victims, the high point of the sacrificial cult in Mexico. At the start of the dedication the captives stood in two rows, and Nezahual-

*Ah'-weet-zotl.

1:Vaillant A-5 (1928-1936)1941 NU7 Aztec NU7

tated against the social advantages of the gathering. To steal corn, the staple of life, when growing in the field, was a serious offense, demanding the death penalty or slavery, but a wayfarer might with impunity satisfy his hunger by plucking ears from rows adjacent to the road. To filch gold, silver and jade, precious substances reserved for religious ornaments, was also a mortal crime.

Murder, even of a slave, brought the death penalty. Rebels and traitors received the same fate, but kidnapers were sold into slavery. Drunkenness was a serious crime except at prescribed ceremonial occasions. Social disapproval, public disgrace, even death by stoning or beating, were penalties suffered by the intemperate. However, the old of both sexes, who had fulfilled their tribal obligations, were allowed great latitude in their potations.

The witch or practicer of black magic was sacrificed, and death was likewise the lot of him who impersonated a high official. A slanderer had his lips cut off and sometimes his ears as well. Brawling and fighting in the market place were dealt with severely, but in an ordinary case of assault the assailant paid for the cure of the assailed and for any damage done. Adultery was punished with great severity, even death, when committed outside the pale of the divorce laws. Hanging was the usual penalty for violation of the incest laws, and sodomy was punished with revolting brutality.

Thus reduced to cited instances, Aztec law was brutal. Actually, from childhood on, the individual grew up into correct social behavior; the violator of the code met with serious consequences. All people had some kind of personal property, but land belonged to the tribe and only its produce to the individual. Therefore, the elaborate legislation

1:Vaillant A-5 (1928-1936)1941 NU7 Aztec NU7

a hook at the farther end, the nearer end being grasped in the hand. By lengthening the arm in this way it was possible to give a greater propulsive force to the spear.

On the other side of the plaza the boys in the religious-training school presented a less animated scene. Their little legs and faces lacerated by maguey spines, their bodies thin from fasts and penance and their eyes dulled by the monotony of self-denial, these children were chanting strophes from a ritualistic chant. Their preceptor, who led the singing, showed by his own scarred and emaciated body that the propitiation of the gods was a relentless and never-ending task. Priest, chief, warrior or husband, every Aztec, from boyhood on, spent much of his life either in a kind of beseeching penance, to ensure his future, or in a state of grateful atonement for not having had a worst past. The Aztecs lived on intimate if uncomfortable terms with the supernatural powers.

Another aspect of this lack of individualism was to be seen in the *tecpan* or clan building. Here elders of the clan were arranging the affairs of the tribal unit, twenty of which made up the city-state of Tenochtitlan. One old man peered over picture maps as he adjusted a question of land tenure between two contesting families and made his final judgment on the basis of how much land each family could cultivate by its own efforts. Another elder distributed pottery vessels, given up as tribute by a town across the mountains, to some of the poorer members of the community. None of these people, litigants or applicants, bestowed more than occasional glances into the back courtyard, where an adulterer was being stoned to death by members of the affronted family. Urban existence contained too many interests and

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life was too cheap for them to view as an excitement the inevitable result of wrongdoing.

Each of the twenty tribal divisions regulated its own affairs. The great plaza where Montezuma had his palace and where all the gods were worshiped in many temples was for the use of all the clans together; and was the civic center for the sixty thousand households of Tenochtitlan. Yet in spite of the importance of this center of religion and government, the great plaza of Tlaltelolco near the northern edge of the islands was almost as striking. Once a Mexican tribe acknowledged the sway of another power it was supposed to furnish fighting men and tribute, but its government and economics were seldom modified.

Thus the recently conquered Tlaltelolco had a communal center as majestic as that of Tenochtitlan. It seemed more dramatic to Spanish eyes because its great temple to the War God, Huitzilopochtli, was thrust into prominence by the wide spread of the market place, while in Tenochtitlan the great buildings were so close together it was hard to gain an impression of their size.

The market place of Tlaltelolco consisted of a large area of polished pavement, bordered by arcades which sheltered many of the merchants. At one edge a basin opened out from the canal beside the northern causeway, where boats bringing goods and produce could find an anchorage. Each kind of product was concentrated in a special place. Thus one section was completely devoted to vegetables, and compactly squatting women sat watching their goods, arranged before them in symmetrical heaps on woven mats. In another section cotton mantles were being sold, some spread to show the full design and others neatly folded. Elsewhere was a

And if the sins of the penitent were only light, [the priest] said unto him:

"Thou shalt parch thy lips, thou shalt fast, thou shalt starve thy entrails for four days."

Or else he said unto him:

"Thou shalt sing and dance [for the goddess]; thou shalt hang rubber-spotted papers [as offerings] and fashion images [for her]."

Or else, he said unto him:

"Thou hast done wrong, truly, with wine. Thou shalt satisfy the gods of wine, the Tzouhtzin."

And he thus commanded him, *and said* unto him:

"When thou goest, when thou dost thy penance at night, thou shalt take nothing with thee. Thou shalt go naked. Thou shalt gird thy loins with paper painted with pointed figures,[94] spreading one piece behind thee [and one] at thy front.

"And when thou shalt return, there before our lords, the gods, thou shalt cast off thy paper skirt."

And when he had done his penance, then he went to his house.

Thus in the end he changed to a good life. It was said that if he were to sin again—so it was said,—no longer might he gain mercy therefor.

It was said that they told only of great vanities, grave violence, adultery, [and only] the aged so spoke.

Thus the aged confessed—it was said—that they might not be punished here on earth for their sins; if they were adulterers, so that their heads might not be pierced, or beaten with stones, [therefore] they confessed.

The soothsayer, before whom were laid [one's] sins, nowhere spoke of what had been placed before him, of what had been said in secret.

For what was said in secret was not for him, but was given and told in secret to the god. And him mortal man might not see.

Thirteenth Chapter, *which telleth of the little gods—the lesser [ones],*[95] *who were considered the very old gods.*

Turquoise Lord (Xiuhtecutli)—the yellow-faced one, the holy flame. This one was known as fire, [as] the old god, [as] our father.

He was thought a god, considering that he burned one, he consumed one, he scorched the fields. And for many purposes he was useful; for [with fire, then] one was warmed, things were cooked on a plate, things were cooked in a pot, pottery was fired, salt was burned, syrup was boiled, charcoal was burned, the lime was burned; things were fried.

Auh inīla çan xicca, yn jtlapilchioal, tlamacuhquj: 785
qujlhuja,
timotzonoztzaz, titlacatlaquaz, timocujtlazculçaoaz, 776
naujlhujd: 783
anoço qujlhuja
titlatotia, timoteteuhcaoaz, titepiquiz: 795

anoço qujlhuja.

ca nel vetli, yn jpan otitlaneçomalti, tiquinquixtiz in tzouhtzin.

Auh qujlhuja, ynjc quinaoatia:

yn iquac tiaz, yn titlamaceoaz ioaltica, atle motech vetzitas, tipetlauhtiaz: yn momaxac, amatl tlaitzcopecalli in mantiaz: centitl mjcampa, motzintlampa, mantiaz.

Auh yn jquac tioalmocuepaz, vmpa tocontlaçaz yn jmjxpan tetecujooan, yn tetru, yn mamacuc.

Auh yn jquac otlamacteuh, njman oalauh yn jchan:

ic cenmajan, monemjlixcuepa: qujlmach intla oc cepa tlatlacoz, qujl ça aocmo tlaoculiloni.

Qujlmach çan yio vey nequalli, vey nequauitecolli, in tetlaximalistli: in quitoaia veuetque.

Jnjc moiolmelaoaia veuetque: qujlmach, iehoatl, ynjc amo tlacujtilooque, njcan tlaltícpac, yn jntlapilchioal: yntla [684]
ouelaxini ynjc amo quatetlaxililoz, ynjc amo quatepitzinjloz, ynjc amo quatetzotzonaloz, moiolmelaoa.

In tlapouhqui, yn jixpan tlalilo, tlapilchioalli: çan njman acan quitoa, in tlein ixpan tlalilo, in tlein ilhujlo:

ipampa ca amo ieh yn jlhujlo, in nonotzalo, ca tloque, ca naoque, in maco, in jlhujlo, in tlapilchioalli: ca amo ieh motta, in macoalli.

Jnic matlactli vmey, capitulo: ynnechpa tlatoa, yn 776
tepitoton tetzuh: yn quintoquilia, yn omoteuhque, yn veuetzin tetzuh.

Xiuhtecutli: ixcoçauhquj, yoan cueçaltzin. Jehoatl motociaiotia in tlein, anoço veue teutl yoan toca:

teutl ipan machoia: ishica, ca tetlatia, tepaloa, techchinoa, tlachinoa: yoan njoc tlamantli, ynjc tlacnelia: ca ic nonoalo, ic tlapaoazo, ic tlacuxitilo, ic tlaxco, ic izcatlatilo, ic tecuilatilo, ic tecullatilo, ic tenextlatilo, ic tlatemoionjlo, yc tlatemoionjlo, ic tlatleoztzalo, yc tetlocujloio, ic temaxcallatilo, ic cuitlatilo, ic tlanextlatilo.

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94. The most characteristic emblem of Tlazolteotl (a woman wrapped with a chinampaxtli—paper impressed with pointed figures (see *Codex Borbonicus*, records of Ochpaniztli). The paper loin cloth is an insulator of this same pattern. Probably the *huipil* worn by the goddess in the illustration (Plate 12) is a good indication of the design of the loin cloth.

95. Corresponding Spanish text here "que son nuestros dioses de Españoles que los orros dichos."

leapt about. And the priests also danced. It was called "the leap in the month of Toxcatl."[17]

There were paper rosettes fastened upon [the priests'] foreheads; they decked their heads with white feathers. And they smeared honey on their lips; their lips were gleaming. They had paper breech clouts. And their black feathered staves had jackdaw feathers in the form of a cup, and a round ball at the base, also of black feathers. The black feathered staves also were called black rain-bird [staves].[18]

And where they went grasping [the staves] were papers painted with black scroll designs. And these [priests], as they danced, made circles with, and struck, their black feathered staves on the ground.

And only in the tribal temples were those who beat the drums for them, seated upon the ground. They beat the upright drums; they sat beating gourd rattles; they sat rattling gourd rattles and beating turtle shells.

And all the masters of the youths, the young seasoned warriors, and the youths were spread out, dancing elsewhere [a dance] called the serpent dance.

And hence [they named what] was danced a serpent dance, because they moved back and forth, and from side to side, and met each other face to face. They went holding each other's hands as they danced.

And also a number of young women danced, having so vowed, a popcorn dance. As thick as tassels of maize were their popcorn garlands. And these they placed upon [the girls'] heads. And they were painted; down to the thighs were they bedecked with feathers. And [these] reached up to their upper arms. And they went mingling with and among those who danced.

Of these, it was said that they embraced, they embraced one; they embraced Uitzilopochtli.

And these girls were very well guarded, that none might covet them, nor ravish them.

And all who danced the serpent dance were well watched, that none might fall into covetousness.

And if anyone were seen seducing one [of the girls], then the masters of the youths threw him to the ground. They dragged him; they stepped upon him as he lay stretched out; they trampled upon him.

chocholotimanj: auh in tlamacazque no mjhtotia, mitos toxcachocholoa:

amaixquastechimaletimanj, amaixquastechimaleque, moquaquapotonja iztac totolivitica: yoan motetennecuvia tetentzotlantiuj, ymamamaxtli, yoan intzatzanatopil, tzanaivitl, in iuhquj ytecomaio, auh yn itzintelolojo, çan no tzanaivitl: no motocaiotia ycujtlacuchcho, in tzanatopilli.

Auh ynjc quitzitzqujtiuj, amatl acaxilquj, ynjc tlacujlolli: auh in ichoantin, hin, ynjc mjtotia, tlaiaoaloa, ic tlaxixiltiuj yn jntzanatopil:

auh çan calpulco, in quintlatzotzonjliaia, çan cacaste cheoasticate: çan tlalpan veuetl in qujtzotzona, aiacachotoque, aiacachquetzitoque, aiotl qujtzotzona, aioujtectoque, aiochiuhtoque.

Auh yn izqujch teachcaoan, in telpuchtequjoaque, yoan in telpopuchti, cecnj manj in mjtotia, moteneoa mococoloa.

Auh ynjc mjhtotia mococoloa, ichica aujc viujh, ixtlapal viuj, mjxtnanamiquj, in matitech maantiujh ynjc mjtotia.

Auh no cequjntin cioa ichpopuchti, mjtotia innetol, momomochiitotia: centzontecomatl ynjc tomaoac catca, ynmomochicoznqui, yoan ymicpac contecatiuj, moxaoa, yoan in metztomaoaian aci, ynjc mopotonja, yoã ymacolpan onacia: intlan mamantiuj, intzatzalan mantiuj, in mjtotia.

Jn ichoantin hin, moteneoa tlanaoa, tenaoa, qujnaoa in vitzilopuchtli:

auh in ichoantin ichpopuchti, cenca vel pialoia, ynjc aiac qujmjxteleuiz, ynjc aiac qujncamanalhuiz.

Auh yn izquichtin yn mococoloa, vel mopiaia ynjc aiac vncan moleuiz:

auh intla aca itto, tecamanalhuja: njmã tlalli ic qujujtequj, in teachcaoan, qujnujujlana, qujntitilicça, qujmiicça:

17. Corresponding Spanish text: *"saltar o bayler de la fiesta de toxcatl"*; Garibay (*op. cit.*, p. 298) translates *motocaiotia* as *"se saltó el salto de Toxcatl."*

18. Sahagún's Spanish text specifies only black feathers; cf., however, Kelemen edition, Vol. III, pp. 162-3 and 187. The last-mentioned editor translates *tzanatopil* as: *"Hay otra ave que se llama tzanatl; es negra y tiene el pico corvo."* Seler (*op cit.*, p. 106, n. 2) calls *tzanatl* jackdaw or daw; cf. (*ibid.*, p. 233) read thrush. Of this read cf. *cuitlacuchcho* he says it is *"una Vogel, der gegen Ende der Regenzeit sich hören läßt und darum Sicher, auch dem Glauben der Menschen, Landregen verkündete mußte. Ich habe den Namen diesen Vogels deshalb mit 'Regenpfeifer' übersetzt. Er wird etwa die Größe einer Amsel haben. Gefieder grauweiß mit einer Art von Halskrause. Er wird auch Regenvogel oder Dudelsack genannt."* Sahagún (*loc. cit.*) merely explains: *"o gato cerro llamamos cuitlacuchcho, por causa de la barba, que llamamos cuitlan, en el romance."* See also *supra*, p. 94.

3: Sahagún M-5 (1529-1590) 1951 NU7 Aztec NU7

For he had committed a crime in the temple; for he had done a wrong. They said to him: "Verily, here penitence is done; here a feast is held."

And as night fell during the dance, so closed the day of feasting when the day ended.

And next morning, when [the feast] was over, again there was dancing. Again all danced the serpent dance.

And [this day] died Ixtlcuale,[19] he who had lived together with Titlacauan. And him they also named Tlacauepan,[20] and Teicauhtzin.

And his paper raiment was painted with black discs. On his paper crown were eagle feathers. His headdress hung in disorder. Upon the crown of his head rested a flint knife made of red feathers.

And also he had his network cape; over it hung a small net bag; and his [ornament like a priest's] maniple hung from his arm. It was of the skin of a wild beast. He fastened shells [to his legs]. He danced with the others; he danced the serpent dance. He went first in line guiding the others.

And purely of his free will, when he wished, he would die. When he wished, then he delivered himself to the place where he would die.

Priests called *tlatlacoeuaqui* seized him, stretched him out [on the sacrificial stone], held him, and cut open his breast. His heart they lifted up as an offering to the sun.

And his head also they strung on the skull rack. So he came to his end, even as Titlacauan, [whose head was] strung [on the skull rack].

And at this time, the priests cut the skin: with a stone knife they cut the skin of youths, young boys, and even small children yet lying in their cradles. Thus they cut the skin of their stomachs, their breasts, both upper arms, and [both] forearms.

This was done only at the time of [the feast of] Teteoti, when it ended, each year; [and] thus ended [the feast].

ichica in qujnmjctiaia ca teupan, ca tlaujlquiztia, qujmjlhuja: ca vncan tlamacoalo, vncan ilhujtlalo.

çan iuh onicoa in netotilo, ic ontlamj in cemilhujtl, in ontzonquiz ilhujtl.

Auh yn jnuztlaioc, in apeoalco no netotilo, no nococololo:

auh iquac mjquj, yn Jxtcucale, ynin neoan onenca Titlacaoan: auh ynjn no motocaiotia, tlacavepil, yoan Tehicauhtzin.

Auh ynjc tlacujlolli, yn jamatlatquj, tetzapocio yn jamacal, quahujujio, momoiaoa yn jvitzoncal: teopatl iquanepantla icatiuh, tlapalihujtl ynic tlachioalli:

yuan no ycuechin, icampa vetztiuh, icpatoni, yoan imatacax imac pilcatiuh, tequaneoatl, oiooalli contlalitiuh, teoan mjhtotia, mococoloa, teiacantinemj, teiacac ycatinemj.

Auh çan iillotlama, in quenman miquiz, in quiman connequiz, yn oqujnec, njman ie ic onmotemaca, yn vncan mjquiz:

qujoalana in tlamacazque, motocaiotia, tlatlacanacalti, qujtitilinja, caana, quchtecquj: yn iiollo conjaujlia in tonatiuh:

auh yn itzontecoa, çan no tzompatitech conquauhço, çan no iuh tlantica yn iuh quauhçotica titlacaoan.

Auh çan no iquac y, tepaxotla in tlamacazque, qujnpaxotla in telpopuchti, in telpuchpipil: yoan yn oc vel pipiztoti, yn coçolco onoque: ynic quinpaxotla ymelpan, ymelchiqujppan, yuan nenecoc ymacolpan, yoan inmatzotzopazpan:

çan yio iquac y, in muchioaia, yn ipan teucatl: apeoalco, ozcuhtica ic ontlatzonquiça.

796 x
[684
688]

796 x
293

796 x

[304]

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19. Itzcuale, ". . . que quiere decir: Cinc del Señor de la Casa Divina, ó del Señor Divino de la Casa; y por otro nombre Tlacapehua [sic], que es nombre del otro Dios, compañero de este Huitzilopochtli, cada uno de ellos con su Camino, llamado también Telcaoanitzin, que quiere decir: Hermano menor, por quanto venian por orden á Huitzilopochtli, Rey del Mexicano . . . el dedicado á Tezcatlipuca, y este acompañado a Huitzilopochtli, celebran juntos todo el Año de su elección, para el sacrificio de este Dios: para este suelen diputarse entre los dos; porque el que representaba á Tezcatlipuca, ó Telcaoanitzin, celebrava, y representava como á Dios, á quien á imagen de aquel Dios . . . y á quien, llamado Huitzilopochtli, era idolatrado, así celebrava con este respeto. . . ."—Juan de Torquemada: Segunda parte de los veinticinco libros rituales y monarchia indiana (Madrid: Nicolas Rodriguez Franco, 1723), p. 268.

20. Tlacauepan Cuecuextitin "fue inventor de la guerra, hermano menor y compañero de Huitzilopochtli. . . . Donde tiene este nombre todo esto fue en la venta de Tenexac" (Chavero, op. cit., Vol. II, p. 94).

a band] from ear to ear, which was called "black sweat," and they also applied pyrites [to it]. And some extended a black [stripe], called "a plaster of rubber," to their faces, and also it was sprinkled with pyrites.

And thus was their hair shorn: All were shorn like young warriors; together, all were shorn alike in the manner of young warriors. And those who had their temples closely cropped, were well shaven down, well scraped clean with a sharp piece of turtle shell. And they applied yellow ochre to their [remaining] hair; they colored it the color of maize flowers.

And thereupon, when they danced, they carried before them torches, pine fire brands, which flamed with much crackling and hissing. And as they carried them, the leaders of the youths [went] squatting because of the burden, as if running with thighs bent. And the resin, as it were, fell in large drops, and the live coals scattered and fell one by one. And the [charred] pine wood fell bit by bit to the ground.

And along the sides the lighting was only from fire ladles held in the hand. They who gave light were youths who had fasted twenty days. They were spread out in a circle, ranged on the sides. On one side were those of Tenochtitlan, and on the other side were those of Tlatilulco.

And they did not dance; they did only one thing —they only provided light. And they were on guard and kept close watch on people; their office was to be attentive that none might dishonor a woman; that none might look upon a woman, lest one might jest [with a woman].

If anyone was seen even only intending it, or trying it, maybe later—next day or two days hence—they punished him. They beat him with flaming pine boughs.[4] Verily, they left him for dead.

And when all were dancing, sometimes Moctezuma emerged and came forth to dance, and sometimes he came not forth. Only if he wished he did so.

And that they might go in line when they danced, they held one another by the hand or about the waist.

And some they grasped by the hand; all grasped hands. And thus they kept on with their feet, that they might take the dance steps all together with their feet. And they whirled about repeatedly; and they passed by the braziers, proceeding among [them]. They went back and forth among the rows of braziers. When they had reached the end [of the

4. See Plate 28.

no ca petzujaia, auh in cequintin imixtlan caana tlilli: itoca xujtolli no ca petzuja. 796r 302

Auh ynic moximaia, muchintin motiachcauhximaia, cenuetzia in motiachcauhximaia: yoan yn incanaoacan qujconaloaia, vel quicoconaloaia, vel caiochiquja: yoā qujtecoçānujaia, qujtomjiolhujaia. [714]

Auh in ie iuhquj yn iquac ie mjtotia, tlepilli, ocopilli, qujniacana tlatlatiuh, cuecuetlacatiuh, cocomocatiuh: auh in qujnapaloa telpuchtequjoaque cenca eticiuj, iuhqujn tzitzintlaça: auh yn ocotzotl, iuhqujn chachapaca, yoan in tlexochtli tetepeuhtiuh, cecenmantiuh: yoan in ocotl calichachaiaca. [373] [516]

Auh in tlatenco, çan matlematica in tlaujlo: iehoantin in tlaviaia telpopuchti, in mocempoalçauhque, tlaiaoalotimāca, ixtlapantimanj: cectlapal manj in tenochca, no cectlapal manj, in tlatilulca. [785]

Auh amo mjtotia, çan qujxcaujaia, çan ixqujch tetlaujliaia: yoan tlapieia, vel teixpicia, vel ymix intequjuh catca, ynic aiac ytla vncan qujmotequjtiz, ynic aiac vncan teixtlaxiliz, yn açaca vncan vetzcatiuh: [834]

intla aca cittoc, çan oc conjxxotia, coniximati, açoqujo jmoztlaioc, anoço qujn iviptlaioc, in qujtlatzacuiltia, qujujujtequj ocoquauhtica, ilādatlatiuh, ca micquj in qujcaoa. [684]

Auh yn iquac netotilo, in Motecuçoma, in quenmanjan, oalquiçaia, oalmjtotiaia: auh in quenmanjan amo oalquiçaia, çan yiollo tlamatia: 796r 535

auh ynic tecpantiuj, in mitotia, monaoa, mocujtlanaoa.

Auh in cequintin, inmatitech maana, nematitech neoano: auh ynic qujiauhtiuj, yn imicxi, ynic tlayiaoa, çan ceniauh yn imicxi: yuan ontzitzinquiça, itlan qujquiztiuj in tlaujltetl, itzalan quiquiztiuj, itic cacalactiuj, yn inquipantli tlaujltetl: yn oacito yñ

space], once more they circled back and returned [whence they had started].

And when it all ceased, already it was late at night, already time for all to sleep, as when one noddeth; today [that would be] at about the ninth hour.

And when all had stopped, when the ground drum was undone, then all dispersed, all went, all betook themselves to their homes. The great noblemen, when it was done, were accompanied by torches; they went lighted by torches, carried for them, to their homes.

And the women who had danced then were assembled, after there had been the song and dance, and they led them off. Even so was done with the leaders of the youths. They gathered [the women] together, grouped them, rounded them up, placed them together, assembled them, hunted them out,—lest they might go off somewhere, lest someone might accompany them, lest some debauched youth might go with [one of them].

None the less, the noblemen addressed the matrons, that they might go and release some [of the women] or go and leave [one]. Not of their free will did [the women] go elsewhere; it was done on persuasion.

And when they released them, [the girls] were given presents. Gifts were given, and food was given. And likewise, favors were offered the leaders of the women, the matrons. They kept for themselves and carried that which they saved to their homes.

And the young warriors, the young warriors who had distinguished themselves, who were worthy of honors, made their plea for the women only in secret, not before others; perchance in his home [such an one] awaited her, perchance elsewhere he called her. Just so, they ate privily.

And the woman came forth only at night and spent only the night [with him]; she departed when it was well into the night.

And if one was noted living in concubinage, thus he aroused anger; thus he gave offense. For this all assembled and held council there in the song-house. Here, before everyone, they punished him. Because of [his crime] they cut off his warrior's hair dress; they took from him all his belongings—his adornment, his lip plug. Thereafter, they beat him sorely with a pine stick, verily causing him to swoon; they singed his head with fire; smoke rose, and blisters formed on his body.

And when they had indeed caused him to swoon, then they cast him forth.

vmpa tlantoc, oc cepa momalacachoa, in cujtlauje, oalmocuepa.

Auh in necaoaloa, ie tlaquauhioua, ie netetequizpan: yn iuh mixtlaxilia axcan aço ie chicunauj ora.

Auh in ie izquich, yn onecacaoaloc, yn ompet veuetl, mec cecenmanoa, viujloa, yn izquichtin viuj yn inchachan: in veuei pipilti, onca caoalo, tlavilpan, tlaujlilotiuj, qujntlatlaujlitiuj yn inchan.

Auh yn cioa yn otenaoaque, njman mocentlalia, in ie oncujcoianoloc, in qujiacana, yn iuhq' yn tiachcaoan muchioa, qujnnechicoa, qujntecpichoa, qujmololoa, qujncenquixtia, quj̃centecpichoa, vel qujmixpepena, yn ma aca canapa ia, yn ma aca moteujcalti, in ma aca telpuchtlaueliloc qujujca:

tel in pipilti, qujmonilhujaia in cioa tlaiacanque, ynic cequintin qujncaoatiuj, tecaoatiuj: amo çan moiocoiaia yn canapa via, tetencopa muchioaia.

Auh yn ontecaoaia, vmpa motlauhtiaia, vmpa tlauhtiloia, yoā vmpa tlamacoia: auh no tlatlauhtiloia, in cioatlacaoan, in cioateiacanque, motlacauja, motlatlacauja, quitquj yn inchachan innetlacaujl.

Auh in teachcaoan, inteachcauh, tlaiacatia, in mauiztililoni, çan ichtaca in qujnnaoatia cioa, amo teixpan, aço ichan in qujchietiuh, anoço canapa in qujnaoatia: çan iuhquj, yn ichtacaquaia.

Auh in cioatl, çan oaliooalquiça, çan moiooalpoloa, oc ueca ioan in quiça:

auh inic aca ittoz, in momecatitinemj, ic tlaqualanjaia, ic tlaiolitlacoaia, ica necentlalilo, yca nenonotzalo, in vncan cujcacali:

vncan teixpan qujtlatzacujltia, ic qujtzotzocoltequj, muchi qujcujlia in izquich ytlatquj, yn inechichioal, yn itempilol: çatepan qujujujtequj, ocoquxuhtica, vel qujhiiocaoaltia, qujquatlechichinoa, tlētlecaleoa, haaquaqualaca, yn inacaio.

Auh yn ouelqujhijocaoaltique, yca oalmaiauj:

They said unto him:

"Go, my friend! Though thou art a brave man, a warrior, how may we care about thee? Wherever our foes come rising against us, may we die as brave men!"

And these were the words which they said unto him; and much else besides.

And thereafter, when they had cast him out, he slowly crept away, going backwards and on all fours, lamenting as he went. Thus he went off, nevermore to sing and dance with the others.

And the matrons cast out the woman. Nevermore would she take up the song and dance with the others. Nevermore would she clasp hands with the others [in dance]. Thus they dismissed her; the leaders of the maidens cast her out forever.

And the woman who had sinned evermore went alone. Never might she hope once again to sing and to dance with the others.

And the one whom they had punished because of the woman, then married her, and quieted the affair with her.

And before the real feast came which they called Uei tecuilhuitl, on the tenth day, when the woman [who was the likeness of] Xilonen died, her face was painted in two colors. Thus she was stained yellow about her lips, and her forehead *chili*-red. From her paper cap, which had four corners, hung quetzal feathers in the form of maize tassels; and [she wore] a wide neck band. Her neck piece consisted of many strings of turquoise. She wore a golden disc, as breast ornament. Her shirt and skirt had the water lily [flower and leaf design]. She wore princely sandals, carmine-colored sandals. Her shield and her rattle stick were *chili*-red. In the four directions she entered, or went down into, the sand.[1]

For this reason was it said, "She goeth into the sand": in this way she foretold her death—that on the morrow she would die.

She began the feast day when she entered Tetamaçolco. The second place where we went to arrive, we reached [to accomplish the ceremony], and it was a place named Necoquixecan. The third place in which she entered [the sand] was Atenchicâlcan, and for this reason was it called Atenchicalcan—that here gushed forth the water, and also here faded away the

qujlhuja,

Xiiauh nocne aço toqujchtli, aço titiiacauh, quen timitztocujtlauja: çaçocan techquetzaqujuh in toiaouh, maça toqujch miqujcâ:

yoan in tlatolli qujlhujaia, vel oc mjec.

Auh yno ica oalmaiauhque, ça iaiatiuh, chichicoeoatiuh, ça xonauhtiuh, têtentiuh, ic centlatlalcauja, aoqujc teoan cujcoanoz.

Auh in cioatl çan qujtotoca, in cioatetiachcaeth: aoqujc no teoâ cujcoianoz, aoqujc no tenaoaz, ic qujcennaoatia, qujcenmacaoa, yn ichpuchtlaiacanquj.

Auh in cioatl yn otlatlaco, iccenmaian tlatlalcaûja, aoq'c ceppa motemachiz, yn oc ceppa teoan cujcoanoz.

Auh in ichoatl yn otlatzacujltiloc, yn ipampa cioatl, njman ic qujmocioaoatia, qujiauceujlia.

Auh yn iiamo aci in iquac ie uel ilhujtl, yn moteneoa vei tecujlhujtl, yn iquac tlamatlacti, iquac miquja, in xilonen cioatl, michchictlapan, ynic michiuh yn itêco cozticatic, auh yn iuquac chichiltic: yiamacal nauhcampa nacace, quetzalmjiaoaio, cozcapetlatl: yn iconequj chalchiujtl miecpantli, teucujtlacomalli yn ipan mantiuh, yiaxochiavipil yoan yaxochiacue yhitzcac, ynochpaicac: yn ichimal yoâ yn ichicaoaz chichiltic, nauhcampa yn aquja anoço xalaquja:

ynic mjtoa xalaquj, ic qujmachiltia yn jmjquiz, in miquiz muztla:

in cemilhujtl conpeoaltia yn aquj, tetamaçolco, ynic vecan vncan in taciticatcan, tacito: yoan itocaiocan necoquixecan: ynjc excan vncan yn aquja, yn atênchicalcan, ynic moteneoa atenchicalcan, ca vncan, oalcholoaia yn atl, yoan no vncan oalpopeliujaia yn

796x 684 836

796x

[302] 301

[292 293]

796x

796x 805

1. Entering the sand was evidently a ceremony literally enacted, and logical in view of the attributes of the deities whose festivities were honored by it. The explanations in both Sahagún's Spanish text and the Aztec columns is not explicit. The four places in which Xilonen entered the sand may be identified in modern Mexico City and are associated with water and sand. *Aquia* is probably an assimilation of *aoquia*.—Angel María Garibay, personal communication.

692 nounced. And in what was there made known, the
695 lords did nothing for friendship's sake; they exacted nothing as reward; nor delayed [any case].

SECOND PARAGRAPH, which telleth of the court, the place of discussion, where spoke the judges.

[693] Teccalli,[5] or Teccalco: there were the judges and noblemen.[6] Every day the common folk and vassals laid complaints before them. Calmly and prudently
[212] they heard the plaints of the vassals; in the picture writing which recorded the case, they studied the complaints. And when they tested their truth, they sought out and inquired of informers and witnesses who could size up the plaintiffs, [who knew] what had been stolen and what was charged.

687 And the ruler, if he knew anything ill of these judges—perhaps that they needlessly delayed the case of common folk, that they deliberated two years or even four—[that] they could not pronounce judgment because of either a bribe or kinship,—he then seized them and jailed them in wooden cages, exacted the penalty, and slew them, so that the judges might walk in dread.

[When] Moctezuma was lord, he learned many ill things of the judges Mixcoatlailotlac, Teicnotlamachti, Tlacochcalcatl, Iztlaca mixcoatlailotlac, Umaca, Toqual. Uictlolinqui, [all] of Tlatilulco—that they had unjustly discharged their office of judge. Then he seized them, jailed them in wooden cages, exacted the penalty, and slew them.

692 THIRD PARAGRAPH, in which is described the
565 place of discussion where were the brave warriors
684 and the noblemen.

Tecpilcalli: there were [to be found] and were established the noblemen, the brave warriors,[7] the valiant men, wise in war. If the ruler knew something ill of some nobleman—although he were a great prince,[8] or brave warrior—if he had committed adultery, then he sentenced him to be stoned before the people, to die stoned.

[When] Moctezuma was lord, one who was a prince, named Uitznauatl ecamalacotl, committed

vncan caquitiloia tlatoque atle quicnjuhchioaia atle tlaxtlaujltica qujxpachoaia, anoço qujuecaoaia.

INJC VME PARRAPHO, itechpa tlatoa in audiençia in tlatoloian in vncan tlatoaia tecutlat.que.

Teccalli, teccalco, vncan catca in tecutlatoque, in terecuti, in momuztlae imjxpan moteilhujaia, cujtlapilli atlapalli maçeoalli, iujian iocuxca, in qujcaquja in jnneteilhujl maçeoalli: tlapaillacujlolpan in qujpoaia, in qujttaia neteilhujlli: auh injc qujnneltiliaia, qujntemoaia, qujmjtlanja in machiceque, in tlaneltilianj, in qujmachilia moteilhujque, in tlein qujmocujcujlia, in tlein ipan moteilhuja.

Auh in tlatoanj, intla itla qujnmachili in iehoantin tecutlatoque, aço çã tlapic qujuecaoa, in jneteilhujl cujtlapilli, atlapalli, aço ie uxiujtl, anoço ie nauhxiujtl qujnemjtia in amo uel qujtzontecuj, aço çan ipampa tlaxtlaujlli, anoço hoaiolcaiotl: njman qujmjlpia, quauhcalco qujntlalia, qujtzacutiuj, qujmjctia, injc mauhca iezque tecutlatoque.

Tlatocati motecuçuma, mjiec tlamaantli in qujnmachili tecutlatoque mjxcoatlailotlac teicnotlamachti, tlacochcalcatl, iztlaca mjxcoatlailotlac vmaca, toquai, victlolinqui, tlatilulco in amo melaoac qujchioaia in jntequjuh tecutlatolli: njman qujmjlpi, quauhcalco qujntlali, qujtzacutiaque, qujnmjcti.

INJC EI PARRAPHO: vncan tajtoa in tlatoloian, in vncan catca in tiacaoan, ioan in pipilti.

Tecpilcalli, vncan catca, vncan tecpanoaia in pipilti, tiacahoan oquichti, in iauc matinj, in tlatoanj intla aca itla qujmachili pilli, in manel cenca tlaçopilli tiacauh intla otetlaxin, njman qujtlatzontequjlia, injc teixpan tetepacholo tetica mjquj

motecuçuma tlatocati, ce tlacatl tlaçopilli itoca vitznaoatl ecamalacotl tetlaxi in oconteixpauique in-

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5. *Sahagún, in the corresponding Spanish text, refers to all of these places as "another hall"—"otra sala."*

6. *Manuel Orozco y Berra, in Historia antigua y de la conquista de México* (México: Tipografía de Gonzalo A. Esteva, 1880), I, p. 287, explains that *"En cada barrio de México había un tecalli, electo anualmente por los vecinos; determinaba de causas livianas, donde cuenta diariamente á los jueces superiores."* Clark, (*op. cit.*, I, p. 97) writes: "The four seated figures behind the judges, called *tecuhtli*, are young men of rank who attend the courts for instruction, so that in time they might rise to the position of judge." (See also fl. 67r and 68r of the *Mendoza Codex*.)

7. *Tecuuh, pilli, tecpilli*: cf. Sahagún, *op. cit.*, III, p. 26; Jones, *op. cit.*, pp. 34, 68.

8. *Tlaçopilli*: cf. Jones, *op. cit.*, p. 34.

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6: Sahagún M-5 (1529-1590) 1954 NU7 Aztec NU7

adultery. They accused him before Moctezuma, who then condemned him to be stoned before the people.

FOURTH PARAGRAPH, in which is discussed the council chamber of the brave warriors devoted to war.

Tequiuacacalli or Quauhcalli: there were the brave warriors, the generals, and the commanding generals,[9] whose personal charge was command in war.

Achcauhcalli: there were the constables, the brave warriors who were the ruler's executioners. These who brought to an end [the life of] any upon whom sentence had fallen [were] the Quauhnochtli, Atempanecatl, and Tezcacoacatl. And if they erred in something, they exacted the penalty of them and they died.

Cuicacalli: there were the masters of the youths and the rulers of the youths, there established in order to oversee what was by way of work. And every day, when the sun had already set, they turned their attention to dances. They went quite naked. So they went to the house of songs; so they danced with song, proceeding with, about their necks, only [a cape] made like a net. They set in place and proceeded with their forked heron feather ornaments and the red cord with which they bound their hair: and [they had] their turquoise ear plugs and sea shell lip pendants. All the youths, when they danced and sang, ceased when it was well into the night, when for the first time the fire priests and [other] priests blew the shell trumpets. None of [the youths] entered their homes; none slept at home. Rather, they went straight to the young men's houses, which were everywhere. There they slept, stretched out quite naked. Only little did they sleep. On the morrow, when it was still dark, they set forth, to lodge in the house of the ruler.

And when the ruler knew something ill of them—either drunkenness or concubinage;[10] or that they wrought something to their advantage behind the back of the ruler; [or] that without his command they levied tribute on the town, perchance of chocolate, or of food, which became a tribute, and it was done without leave, and [that] they exacted as tribute whatsoever they wished, then the ruler commanded that they be jailed in wooden cages. He condemned them to pay the penalty; perchance they strangled

pan motecuçuma, njman qujoallatzontequjli, injc teixpan tetepacholoc.

IC NAUJ PARRAPHO, vncan mjtoa in jnnenonotzaia in tiacahoan in jpampa iaujotl.

Tequjoacacalli, quauhcalli, vncan catca in tiacaoan tlacochcalcatl tlacatecatl, in jnneixcaujl iautequj:

Achcauhcalli vncan catca in achcacauhti in tiacahoan in jtemjctiacoan catca tlatoanj, iehoantin qujtzonqujxtiaia in aqujn tlein ipan omotzontec, q'uauhnochtli, atempanecatl, tezcacoacatl, auh in jtla qujtlacoaia, qujtzacutiuja mjquja.

Cujcacalli, vncan catca in tiachcahoan, in telpuchtlatoque vncan tlatecpanoaia injc qujchiaia tlein tequjtl, auh in momuztlae, in jquac ie calaquj tonatiuh: tlamaçeoaliztli ipan qujmatia, çan petlauhtiuja, injc viia cujcacali, injc oncujcoanooaia çanijo inquech in onactiuja, iuhqujn matlatl ic tlachiuhtli, imaztaxel conmantiuj, tochacatl injc qujlpia intzonchichilicpatl: ioan ixiuhnacoch, ioan intempilol eptli, ixqujch in telpuchtli in oncujcoanoia icoac necaoaloia in tlaquauh tlapoiaoa, in jcoac iancujcan tlapitzaia tlenamacaque tlamacazque, amo ac ichan calaquja, amo ac ichan oncochia, ca njman vmpa tlamelaoaia, in noujian telpuchcalli mamanca: in oncan cochia, çan pepetlauhtoca, çan achi in concochia, momoztlae in oc iohoan qujça in ontecpanoa, yn ichan tlatoanj.

Auh in jcoac itla qujnmachilia in tlatoanj, açotlaoanalizttli, anoço nemecatilizttli, anoço itla icampa qujqujxtia, in tlatoanj: in amo itencopa, itla qujtetequjtia in calla açoatl, tlaqualli tequjpan iecauj, moiocoia, qujtetequjtia injc intech monequj, njman tlanaoatia in tlatoanj, quauhcalco qujntlalia, qujntlatzontequjlia, injc qujtzacutiui, açoquinmecanja, anoço qujntetepachoa, anoço quauhtica qujnujujtequj teixpan, injc mjctilo, injc maujztli qujteca tlatoanj.

9. *Tlacochcalcatl, tlacatecatl*: see Sahagún, *op. cit.*, III, p. 27; Jones, *op. cit.*, p. 70; Anderson and Dibble, *op. cit.*, II, p. 102, n. 3; III, pp. 57-58.
10. *Alter nemecatilizttli*, the *Real Academia de la Historia* MS has *amoço nehuiuhuallizttli*—or adultery.

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684 And if the ruler learned that a fire priest or [another] priest lived in concubinage, and had looked upon a woman, he then pronounced judgment upon him and proceeded to visit punishment upon him. He was despoiled of his goods; they were secreted in his house, [so that] nothing[1] was to be seen [of them]. Likewise judgment was pronounced upon a fire priest or [other] priest if he was drunk.

[689]

Auh yn tlatoani yntla quimachiliz, tlenamacac, tlamacazqui omomecati, oquitac çinatl, niman quitlatzontequilia, quitzacuhtiuh, namoclo, tlatataco yn icha, atl neneçi. ça no yuh tlatzontequililoya yntla otlnuan tlenamacac, tlamacazqui.

1. *Ab*: probably *ade* is meant.

16:Bandelier E-4 (no date)1880 NU7 Aztec NU7

tants of the valley of their annual crops. In order to escape threatened famine, fathers bartered their services and those of their children for food, to such tribes as possessed sufficient stores.[87]

If the consequence of expulsion from the bond of kinship or of voluntary abandonment of the rights as members, were, for the male, a degradation to work for others, it was altogether different for the female. The position of women was, as we have already intimated, little better than that of a costly animal, and protection was awarded them only in so far as they represented a part of their husbands' property. This the kin itself was obligated to defend and protect. The wife, however, had no other right than that. She could not complain if her lord and master increased his "family-stock" by the addition of one or more concubines, nor if he strayed about to satisfy his desires with other females. Such acts were even subservient to the kins' interest, since they led to an increase of numbers. But the women themselves who gave their persons away for such purposes could only belong to the class of outcasts; for illicit intercourse with wives and daughters of the kins was, as we shall hereafter see, severely punished. Through the formation of the class of outcasts, or at least along with it, prostitution became tolerated among the ancient Mexicans, while polygamy in the shape of concubinage was introduced as a legitimate custom.[88]

[87] Besides the famines recorded since the conquest, the older authors and sources in general notice several (at least two) previous to 1520. It is not to our purpose to discuss their dates. They are given with the usual variation and discordance. Thus for instance, the "*Codex Telleriano Remensis*" (Kingsborough, Vol. I, plate VII, and Vol. VI, p. 136) mentions one in 1404 (1 Tochtli), which is evidently incorrect, since 1 Tochtli would be 1402. The Ce-Tochtli thus mentioned, is 1454. In that year, *Durán* (Cap. XXX, p. 245) places the beginning of the great drouth which, after three years duration, so completely exhausted the Mexican stores and supplies that "wrathy chief" the elder, ("Huehue Motecuzuma") told the people "que cada uno vaya á buscar su remedio" (p. 247). In consequence of it, it is reported that many people "sold their sons and daughters to the merchants and principals (señores) of the tribes that had wherewith to give them to eat, and they gave for a baby (or boy rather, "niño") a small basket of corn (maiz) to the father or mother, obligating themselves to sustain the child as long as the famine might last, for that if afterwards the father or mother might wish to redeem it, they should be obligated to pay these aliments." This is, as usual, also stated by *Tezozomoc* (Cap. XL, p. 64), though with less details. *Torquemada* (Lib. II, cap. LXXIII, p. 93) reports the same, but placing it fifty years later, under the last "wrathy chief" (Cap. CX, p. 225) in 1505, A. D. *Sahagun* (Lib. VIII, cap. I, p. 369), agrees with *Durán* and *Tezozomoc*, as does *Clavigero* (Lib. IV, cap. XII, p. 262): "Many sold themselves for food." This date is also 1451–1454. It is singular that *Torquemada* (Lib. II, cap. XLVII, p. 136) also relates the famine under the older "wrathy chief," and his words are almost textually copied by Clavigero.

[88] The possession of more than one woman, or rather the enjoyment of more than

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procuresses were severely punished, though not with loss of life.[136] 689

While clandestine relations between young men and girls were known to exist and, if not sanctioned, still were not punished,[137] it was different if a married man attempted to seduce a maiden who was not an outcast. The seducer was invariably punished.[138] Intercourse between unmarried people was tolerated, as a preliminary to marriage and the consequent increase of kinship, but if a husband, in contravention of the obligation "not to marry in the kin," endeavored to satisfy his lusts upon one of that kin's wards, as the daughters of members all were, then he committed [836] 684

VII, cap. XVII, p. 486), all affirm, besides, that young people, while yet in care of the "houses of training," if intoxicated, were killed. This is also confirmed by *Sahagun* (Lib. III. appendix, cap. VI, pp. 270 and 271). Except by *Motolinia* (Trat. I, cap. II, pp. 23 and 24), it is generally conceded that drunkenness was well controlled in aboriginal Mexico.

[136] Although prostitution was tolerated, still, houses of ill-fame did not exist. *Torquemada* (Lib. XII, cap. II. p. 376): "Esto parece, porque permitieron, que huviesse Mugeres, que se daban à los que querian, y se andaba á esta vida suelta, y gananciosa, como las de nuestra España, y otros Reinos; puesto que no tenian casa señalada, ni publica para la execucion de su mal oficio, sino que cada qual moraba donde le parecia, y el acto deshonesto, en que se ocupaba, servia de lugar publico. y en el mismo vicio se hacia publica y se manifestaba." *Velancurt* (Vol. I, p. 469): "Permitian los mexicanos, mujeres que ganasen con sus cuerpos, aunque no tenian lugares señalados." It is, therefore, not quite clear what may be meant by the term "alcahueta." In the sense of the French word "entremetteuse," alone, they were amenable to punishment, since it was the duty of the man to hunt his "female," although he sometimes employed women called "cihuatlanqui" for that purpose I suppose that such women were punished, not for the *immorality* of their conduct, but for their *unauthorized forwardness* in addressing themselves to men, and thus trespassing upon the dignity of that superior being. In regard to authorities on the mode of punishment, I but refer to those quoted by *Mr. H. H. Bancroft* (Vol. II, p. 469, note 101). [548] [562]

[137] I have already shown that young people held intimate relations with each other before the formalities of marriage were arranged. Thus, while he was yet at the "Telpuchcalli," the youth had his female friend, "amiga" or "manceba," outside. This is positively stated by *Sahagun* (Lib. III, appendix, cap. VI, p. 271): "y estos mancebos tenian sus amigas cada uno dos ó tres, la una tenian en su casa, y las otras estaban en las de sus familias." and *Torquemada* (Lib. XII, cap. III, p. 376). That these female "friends" were regarded with more than a feeling of platonic love, is dryly expressed by *Sahagun* (Id: cap. V, p. 270): "y los que eran amancebados ibanse á dormir con sus amigas." It is also asserted by *Torquemada* (see above): "que despues que aquel mancebo havia un Hijo, en la dicha manceba, luego le era forçoso, ó dejarla, ó recibirla por muger legitima." *Velancurt* (Vol. I, p. 469): "los mancebos antes de casarse tenian sus mancebas, y solian pedirlas á las madres." This almost establishes promiscuity among the ancient Mexicans, as a preliminary to formal marriage.

[138] *Clavigero* (Lib. VII, cap. XVII, p. 486) says that the punishment was not like that of the adulterer, "because the husband was not required to the same amount of conjugal fidelity as the wife." With "slaves" concubinage was permitted, and the result of childbirth was freedom to the child. Death was invariably the punishment of those who held, or attempted to hold, intercourse with girls in care of the house of worship. *Duran* (p. 198, etc.). *Mendieta* (Lib. II, cap. XXIX, p. 136): "El que hazia fuerza à virgen, era fuese en el campo, era en casa del padre moria por ello."

16:Bandelier E-4 (no date) 1880 NU7 Aztec NU7

684a crime which the calpulli was bound to punish in the most exemplary manner.

689 562 While we are not at all surprised at such severity in the cases above stated, it cannot fail to astonish us, that such apparently harmless acts as those of a *man wearing female dress* and of a *woman appearing in male attire* were visited upon the offenders with death.[129] Still, the ancient Mexicans could assign from their peculiar point of departure good cause for such cruel punishments. The position of woman was so inferior, they were regarded as so far beneath the male, that the most degrading epithet that could be applied to any Mexican, aside from calling him a dog, was that of "woman." It was more injurious than coward. Now, for a man to assume the garb of such an inferior being became almost equivalent to a crime against nature. It was an act of wilful degradation which was a deadly insult to his own kin. On the other hand, if a woman presumed to don the dress of her lord and master, it again was a crime of an equally heinous nature. In both cases the dignity of the whole consanguine group became deeply affected, and death alone could satisfy its honor. After this, it is needless to say how the actual crimes against nature were regarded and punished.[130]

687 It was also a capital crime for any man, to assume the dress or ornaments peculiar to an office, without being himself that office's lawful incumbent. Besides being a grave insult to the rightful officer, it was a dangerous offence towards the kin, especially in case of war, when it amounted to actual treason.[131]

684 Since it was the kin's duty to protect, not only the persons, but also the property of its members, it follows that adultery committed with a married woman entailed deadly punishment upon the male, whether he was married or not. His crime was that of stealing the most precious chattel of one member of the calpulli.

[129] This is so generally mentioned by all authors, that special references are superfluous.

[684] [130] All authors insist that incest was punished with death. *Torquemada* (Lib. XII, cap. IV, p. 369): "Todos los que cometian incesto en el primer grado de consanguinidad, tenian pena de muerte, si no eran cuñados, y cuñadas." *Mendieta* (Lib. II, cap. XXIX, p. 137). *Vetancurt* (Vol. I, p. 421). All these authors appear to have gathered their information from the same source, or rather Torquemada is frequently Mendieta's plagiary, while Vetancurt often copies Torquemada. To avoid superfluous quotation, I beg to refer, on the subject of "unnatural crimes," to *Bancroft* (Vol. II, pp. 466, 467 and 469, "*Native Races*").

[131] *Mendieta* (Lib. II, cap. XXVII, p. 133), copied by *Torquemada* (Lib. XIV, cap. III, p. 540), *Durán* (Cap. XXVI, pp. 214, 215 and 216), and others.

16:Bandelier E-4 (no date)1880 NU7 Aztec NU7

The woman, as participant in the offence, was also killed. Both were executed in public.[132] Theft of objects was variously punished. If the article was of small value and could be returned, its restitution settled the matter;[133] but if it were of greater value and could not be returned, then the thief became "bondsman" to the injured owner or even suffered death for his crime.[134] The [634] 635

[132] If, however, the husband killed the wife himself, even if he caught her *flagrante delicto*, he lost his own life. This shows clearly, that the crime was considered as one not so much against the man, as against the cluster of kindred to which he belonged, and they were consequently not only bound but *entitled* to avenge it. Evidence of this punishment of the injured husband in case he avenged himself, is found in many authors. See *Mendieta* (Lib. II, cap. XXIX, p. 130), *Torquemada* (Lib. XII, cap. IV, p. 378), *Clavigero* (Lib. VII, cap. XVII, p. 464), and *H. H. Bancroft* (Vol. II, p. 405).

In strange contrast with the frequent assertions of the high-handed manner in which the chiefs are said to have used, at their will and good pleasure, the women of the land, as for instance in *Gomara* (Vedia I, pp. 436 and 439), *Motolinia* (Trat. II, cap. VII, p. 125) and others, we find it positively stated that adultery and rape were severely punished even in the case of the highest officers and chieftains. Thus, the case of the chief of Tlaxcallan, who was executed for adultery, is related with full details by *Las Casas* ("*Hist. apologética*," Cap. 213, in Vol. VIII, of Kingsborough, p. 183), *Zurita* (pp. 107 and 108) *Torquemada* (Lib. XII, cap. XV, p. 369). Another story of a son of the chief of Texcuco, killed for intercourse with girls then in the houses of worship, is also fully given. *Ixtlilxochitl* ("*Hist. des Chichimèques*," Cap. XLIV, pp. 315-320), *Torquemada* (Lib. II, cap. LXV, p. 169), etc. These are strange contradictions and are, sometimes, found even between fact and fact as told by the same author.

[133] *Gomara* (Vedia I, p. 448), says: "El ladron era esclavo por el primer hurto," but this is not sustained by others, in the case of small thefts. For instance, *Mendieta* (Lib. II, cap. XXIX, p. 130): "El ladron que hurtaba hurto notable, ... por la primera vez era hecho esclavo." *Torquemada* (Lib. XII, cap. V, p. 381), but especially (Lib. XIV, cap. XXI, p. 564): "Al que hurtaba pequeños hurtos, si no eran muy frequentados, con pagar lo que hurtaba hacia pago." *Clavigero* (Lib. VII, cap. XVII).

[134] The statements are positive to that effect. *Mendieta* (Lib. II, cap. XXIX, p. 130), *Torquemada* (Lib. XII, cap. V, p. 381), *Velancurt* (Vol. I, p. 463). "*Anáuimo*" (Col. de Doc: I, p. 386) exaggerates. "*De l'ordre de Succession observé par les Indiens*" Mr. Ternaux Compans' translation of a Simancas MSS., (1st Recueil, p. 22e) confirms the "anonymous." *Fray Francisco de Bologna* ("*Lettre au R. P. Clément de Moudlin*," 1st Recueil, p. 211): "Ils n'étaient pas tres cruels dans les punitions qu'ils infligéaient aux coupables." *Gabriel de Chaves* ("*Rapport sur la province de Mextitlan*," French translation by Mr. Ternaux, 3d Recueil, p. 312,—original held by Sr. Icazbalceta). *Herrera* (Dec. III, lib. IV, cap. VII, p. 131), about Nicaragua: "Cortaban los Cabellos al Ladron, i quedaba Esclavo del Dueño de lo hurtado, hasta que pagase." (Lib. III, cap. XV, p. 101), at Incatlan: "con los bienes del Ladron, despues de justiciado, satisfacian al agraviado. *Ixtlilxochitl* ("*Histoire des Chichimèques*," Cap. XXXVIII, p. 306): "Celui qui volait dans les villages ou dans les maisons devenait l'esclave du volé, quand il n'avait pas commis d'effraction, et que le vol était de peu d'importance; dans le cas contraire il était pendu." *C. Ortega* (Appendix to Veytia, Vol. III, p. 313): "Casi siempre se castigaba con pena de muerte, á menos de que la parte ofendida conviniese en ser indemnizada por el ladron. Tambien tenia el ladron la pena de ser esclavo del dueño de lo que robaba; y si este no lo queria, era vendido por los jueces, y con su precio se pagaba el robo." *Bustamante* ("*Texcoco*," Parte IIIa, cap. I, p. 197).

Several of the authors above quoted, relate the well known tale about "wrathy chief" (Montezuma) picking some ears of corn in a gardenplot, for which he was ap-

787 was chaste and conscientious; who was audacious, who saved all, who sought his sustenance; who planned, sought, and watched for that which might alleviate, for that which he might lay hand on in the near future, and for what he might offer his children; for what might be obtained, and what he could quickly seize if sickness and misfortune came.

Thus, everywhere he watched for, considered, and sought whatsoever he might use as merchandise, whatsoever his manner of wares might be; whatsoever he might live by, by which he might increase and augment his goods and his gains.

And this one emerged, and rose to honor, if he deliberated well, and was attentive, not resentful of criticism, nor lazy. The counsel with which he was counseled and the rearing with which he was reared took effect; he seized and held fast to it. And if he was made fun of, he took no revenge; he made no reprisals. He returned nothing in kind.

●[684 565] And if a woman were then born, it likewise befell her as hath been said and told above. If a noblewoman was an adulteress, her head was crushed between two stones so that she died. And only in misery and affliction was she given to dwell. She encountered misery and want. Nowhere on earth was her face radiant; nowhere on earth was she [of any account]; nowhere was she regarded; nowhere did she hold a husband. Thus was it stated: "Just so is her nature; so is her life; so her birthright; and so her day sign. Thus, on such [a day], was she birthed; at such a time was she born. Monstrous was her day sign; a wild beast was she; hers was the day of the wild beast, etc."

782 821 And they venerated Four Movement as a day sign. Thus did they say, that it was the day sign of the sun. Moctezuma paid great honor to it. When it was this day, when Four Movement set in, they slew quail and offered incense before the image of the sun; they placed on it what was known as the spreading red arara feather device. And at noon captives died and were slain [as sacrifices].

787 And for him who was then born, no [true sign] appeared. In two ways might it fall. They said that if it were a man, he might either take captives or die in war. As they said, "With this the sun is nourished." Hence everyone did penances when it was this sign. At this time all came together from all parts; none remained or did otherwise. Verily, everyone — men, women, children — cut their ears and

vmpilcaoc, in jaqujch caana, in quiyemoa in jcochca, yn jneuhca, in quiyaamjquj, in conjtilia, in contlachiclia, tle itech vmpatiz, tle itech ontlaanez in mocuj, in matlac, tlē quimonmacaz in jpilhoan, çan onmaçoaz, tlē conmjtiveznia in ooalla cocoliztli icnoiotl:

ic neviiampa mjztia tlanemjlia, quiyemoa, in tlein quimonnanauhtiz, in catleoatl inanauh vmmochicaz, in tlein vel ic onnemjz, ic onmacoquetzaz, ic ontlapiujaz itlatquj icnopillouh.

Inan ichoatl quiçaia, panvetzia, in vel monoeza, in tlacacquj, in amo quiçaammati, quiyemati in onotzaloca, incalilnca, içan itech quipachoa, içan quimacuj, quimapiquj: auh intla ica necacaiaoalo, amo quitecuepiliuia, amo quicaepcaiaoia, atle ic quilochtia.

Auh intla çioatl ipan otlacat: no iuhquj ipan machioaia, in tlacpac omjto, omoteneuh: intla ciopilli tetlāximaia, quatepipitzinjloia injc mjquja: auh çan icnoiotica, cococaiotica, in monenemjtaia, icnoiotl, netolinjliztli quiztinemj, ācan ixtona in tlalticpac, ācan tlalticpac ca, ācan motztica, ācan vel oquichpia: ic mjtoaia, cī njman iuh quiz, iuhquj iiolliz, iuhquj itlacatiliz, iuhquj itonal, iuhquj ipan malti, iuhcan tlacat, ītlacacemelle in jtonal, ca tequanj, tequantonale. Etc.

Auh in naolin quiçonaltiaia: iuh quiçoaia, itonal in tonatiuh, cenca quimaviztiliaia in Motecuçuma: yn jquac, y, moquetzaia naolin, tlacotonaia, tlenamacaia, yn ixpan ixiptla tonatiuh, quiztlaliaia itoca cueçaltonameiotl: auh in nepantla tonatiuh, mjquja. mjctiloia, in mamalti:

auh in aquiz ipan tlacatia, atle vel inenca, vme vitz quiyna. Yntla oquichtli aço tlamaz, anoço ioanquiz: in iuh quiçoaia, ca ica motcaltia in tonatiuh, ic muchi tlacatl tlamaceoaia. yn jquac, y in vncā, y, cenvetzi, ipanoca, aiac mocaoa, aiac itzavi, vel mochi tlacatl in oquichtli, in çioatl, im piltzintli, monocaztequia, mjçoia, mjtoaia: ic iacaltilo in tonatiuh.

Twelfth Chapter, which telleth of still other hours. Some were only indifferent and some were in no way good.

Injc matlactlomocne capitulo: itechpa tlatoa, in oc cequj calli, cequj çan tlanepantla ca, cequj vel njman amo qualli. 787

The time of the day sign Four Wind was said to be good and bad. For then were slain those called doers of evil, the adulterers. They placed their heads in a noose and choked, strangled, or hanged them, or struck them on the back of the head, or crushed their skulls under a rock. Only at night were they killed; when it dawned, and they were already blasted, they cast them each into the water. Likewise then died some of the captives. Through them, so it was said, Moctezuma received new life (as hath been told) on [the day sign] One Rain, when [the Goddesses] descended. And this was also the time that the [aforementioned] demons and sorcerers destroyed people. And since there was fear on this day sign, Four Wind, everywhere they put cardoon[1] into the smoke openings [of the houses]. They stuffed and crammed it in. Thereby, so it was said, they frightened them away.

!n jpan nauhecatl tonalli, ynjtoa qualli, ioan amo qualli, ca vncan mjctiloia, qujnquechmecanjaia, qujnquechtzonviaia, qujnmecanjaia, qujnpiloa, qujncuexochvivitequj, qujnquatepipitzinja, in motenecu tlaçoichiuhque, in tetlaxinque, çan ioan in mjctiloia, in oallatvi ie tiacujtlapoçaoa, atlan qujmmamaiavi. No ioan ompujn vncan mjquja in mamalti, iuh mjtoa: ca iehoan inca motecaltiaia in Motecuçoma (in iuh omoteneuh) ipan ez qujauitl in vncan temoa: auh ie no vncan tepopuloaia, in omotenculhque tlatlacatecuio, in nanoualti, auh injc imacaxoia, in ipan in tonalli nauecatl in tlecako nonjian caaqujaia, in tlacatçeuloxocovitatli, qujpopotzaqujaia, qujcacacatztzaia: iuh mjtoa ca ic qujnpeviaia. 681 687 727 761 789 824

But the merchants,[2] those known as distinguished traders[3] and vanguard merchants,[4] who were rich, greatly esteemed and honored this [day sign]. For then they laid out in the sun[5] all the precious things which they had hidden away — the green stone, the objects made of [ordinary] green stone and resplendent green stone; the round ones, round like

Auh in iehoantin pochteca, in motenecu: acxoteca, in oztomeca, in motlacamati, iê quivitimatia, qujmvirtilaia, ca vncan qujtotonjaia, in ixquich tlaçotli qujtlatiaia, in chalchiujtl, in chalchiuhtli, in quetzalchalchiuhtli, in ololiuhquj, in tomatic, in acatic, in ie ixquich concatl, in concapetlatl, in petlaoac, in pizaoac, xiujtl: auh in ixquich nepapan ivitl, in quetzalli 441 527 556

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1. *Xonacatl.* — Francisco J. Santamaría: *Diccionario general de americanismos* (México: Editorial Pedro Robredo, 1942), Vol. II, p. 154: *jocoitic* — Bromelia pinguin L. "En México, nombre vulgar de una planta de las regiones tropicales, que crece como un manojo de ... cuya hoja semejante a las de la pita. . . . propiedad antiescorbútica."

2. Translatable also as "men of Potchlan," a barrio of Tenochtitlan occupied by merchants, whose gods were Tezcatlipoca, Huitzilopochtli, Xilonen, Tlaloc, Tepictoton, Coyolxauhqui, Chicomecoatl, Xochiquetzal, Yiacatecuhtli (Arturo Monzón, *op. cit.*, p. 50). See also Alfonso Caso: *Instituciones indígenas precortesianas* (México: Instituto Nacional Indigenista, 1954), pp. 23-24, for a résumé of the social and economic importance of the *pochteca*.

3. *Acxotecatl ue pochtecatlahcolor*, "mayor o principal entre los mercaderes . . . tanto como el diferencia que ay gobernador de los mercaderes, y como los nombran . . . se entiendan el que es mayor principal, gobernador, o señor, o que es como padre y madre de todos los mercaderes" (Sahagún, Garibay ed., X, 16, 5).

Jones, *op. cit.*, p. 248 (citing Seler, *Ges. Ab.*, II, 80): "*aller oberkaufmännischen Vollkommen in der städtischen der Leute von Mexiko gelegenen Landschaft Chalco.*" Acxotecatl was a merchant's barrio in Tenochtitlan; gods were Nine Eheatl, Chicomquiauitl, Xocotzatl, Cochiuetl, Yacapatzauac, Nauatl, Chalmecatecuhtli (Motolinía, *loc. cit.*).

4. Cf. Anderson and Dibble, *op. cit.*, Book I, "The Gods," p. 10 and n. 5. Jones, *op. cit.*, p. 224, citing Seler, *Ges. Ab.*, II, 1070: "*Manos aus dem Orte Oztoman . . . . der auf Wanderschaft gelernde Klaus und Marktschreier ziehend als der auf seiner Reisen gelernde Geschäftsmann, auch Kaufmann i. A.*"

5. *Ibid.*, p. 195.

Twenty-seventh Chapter, in which is mentioned the fifteenth sign, named One House. And it was said to be evil. It was said that the men then born were thieves, patrons of vice and sin. All which befell them was bad. And it was said that the women [then born] were very lazy and much given to sleep, and did nothing useful.

— One House. This One House, they said, was a totally evil day sign, the breeding-place of vice and sin. And also, at that time, descended the so-called Goddesses; and what then came to pass hath already been told in many places. The midwives especially paid them honor; each one individually made offerings to them in her own home.

He who was then born, they fully expected, would thus come to a bad end: perhaps he would die in battle, or be taken captive; or perish at the crossing of the waters; or he would enter [among the foe] and be carried off. Perhaps he would be offered as a striped one in gladiatorial sacrifice, or be shot full of arrows; or his head would be burst in the fire, or he would be cast into the flames. Perhaps they would twist him in a net, or smash him, or tear out his entrails — violently tear out his entrails: or just destroy him like a water rat, pushing him under the water, spearing and stabbing him; or they would just cook him [in the steam bath].

And in this way he would come to a bad end. Perchance he would commit adultery. Perhaps he would covet a woman. Perhaps he would covet another's woman. Perhaps he would eat another's food, lift his head from another's [bed]. And the woman would be his companion in death; they would break and smash both their heads. Hence were adulterers called "broken heads" or "smashed heads."

And so in this way he came to a bad end. Perchance he would sell himself, would eat and drink his substance, would swallow himself, would put an end to himself.[1] Discontented, nowhere did he feel tranquil. Thus he lived a thief. He robbed, he

Inic cempoalli on chiceme capitulo: vncan motenoa, inic caxtolteti machiotl, in jtoca ce calli: ioan quji amo qualli, quji in vncan tlacatia toquichti, ichtecque catca, teuhtli tlaçolli quimocuitlaviaia: mochi amo qualli in jnpan mochioaia: auh quji in çioa cenca tlatziujnj, cenca cochinj, njman atle qualli quichioa.

787X

In ce calli: jnjn ce calli, quitoaia, njman amo qualli tonalli, tlaçolli, teuhtli iolian, ioan no ipan temoia in omotenchuhque cioatetro, auh in tlein vncan mochioaia, ie mjeccan omito: in iehoan titici, oc cenca iehoan quinmaujztiliaia, ceceniaca quintlamanjliaia in jnchachan,

787X 776 844

in aquin ipan tlacatia, cenca quitlatenmachiliaia, inic ohujcan quiçaz, aço iaomjquiz, axioaz, iapaniocan popoliuja, anoço calaquja, vicoz, aço oacanaloz, oacanoz, aco tlcalioaz, aço quatlecuepanjloz, aço tlepan tlaxoz, anoço quimatlapatcaazque, quevitequjzque, anoço quixicanazque, quixictetecanazque, anoço çan catoçanpolouque, catlanpapachouque, vncan quixitilique, tlatzotzopotztinemj, anoço çan quitemazque,

787X

ioan inic ovican quiçaz, aço tetlanximaz, aço tetlan aquja, aço cueitl, vipilli tepan canaz, aço tetlaqualiz, tetlan quateuja: auh in cioatl imjquiztevical iez, vmextin quinquatepipitzinjzque, quinquatexazamanjzque, ic tocaiotilo in tetlanxinquj, quatepitzic, quatexamac:

787X 684

ioan inic ovican quiçaz, aço monamacaz, moquaz, mja motolon, motlamja, acan avia, acan tlacaco tlamati, inic nemj, iichtequj, motlitlacuja, tetlilatlalochtia, tetlacujcujlia, tetlatlaçaltia, tecacalxaputla, tequjquimjliquanja,

787X

1. Corresponding Spanish text: *"Asnismo: que sería cualquiera, que el nacesse en semejante, y cometería, y haciría su propio."*